

April 18, 2024

Victor Btesh  
1150 East 9<sup>th</sup> Street  
Brooklyn, NY 11230

Federal Defender Office  
800 South Gay Street  
Suite 2400  
Knoxville, TN 37929

Dear Federal Defender Team,

I trust this letter finds all of you well. I'm reaching out to you with regards to your support for a two-point sentence reduction under Amendment 821 Part B. The sentence stems from me pleading guilty for my involvement in price fixing of DVDs and Blu-ray Discs. If I was granted the two-point reduction it would reduce my score down to a 13 from a 15 on the Sentencing Guideline. This should reduce my sentence from 18 months down to 12 months and a day.

The United States Sentencing Commission passed Amendment 821 Part B on August 31st, 2023. In November 2023, I submitted a motion respectfully requesting a two-point reduction as this amendment addresses first-time federal offenders with zero criminal history. I was told that if granted it would apply retroactively starting February 1, 2024. I contacted the Knoxville Tennessee Court clerk, who told me that the judge was busy and there are many requests.

I am currently incarcerated at The Brooklyn Halfway House and prior to that I served time at FCIC Otisville. The impact of my incarceration on my family has been profound. My wife, Katie, is devastated by suddenly being left to shoulder the responsibility of raising our four young children alone, both financially and emotionally. Our children are ages 14, 9, 8 and 5 years old. Their need for stability and my presence weighs heavily on me as I continue to serve my sentence. The kids cry every night for their father and my wife is suffering. This could be remedied if I was granted the two-point reduction that I believe I qualify for.

Acknowledging the severity of my actions, I've accepted the consequences deemed appropriate by the court. I'm grateful for the opportunity to address my journey of growth and redemption during my time in prison. I deeply regret the harm my actions caused, recognizing the breach of trust they instigated. While thankfully no victims were directly affected, I take full responsibility for my crime and am committed to making amends and bettering myself. Now I am requesting that the court recognize the new amendment and grant me the two-point reduction. As you know I did receive a 4-point enhancement for a leadership role, However I am not someone who is "Continuing Criminal Enterprise". So therefore, I should qualify for the two-point reduction.

Throughout my incarceration, I've actively engaged in rehabilitation programs and educational opportunities, striving to address the root causes of my past behavior and develop the necessary skills for a positive and productive life. Counseling, therapy, and self-reflection have provided invaluable insights into myself and the impact of my actions on others.

Additionally, I've participated in community service initiatives within the prison, fostering empathy and compassion for my fellow inmates. Now, standing as a changed person, I'm committed to integrity, responsibility, and respect for the law. I'm fully prepared to demonstrate through my future actions my earnest desire to reintegrate into society positively.

Furthermore, I have taken advantage of vocational training programs to acquire new skills. At Otisville, I worked at the STP Sewage Plant, and I immediately started paying back my fines from my monthly salary. Please note that I secured gainful employment immediately upon my release. I am determined to become a contributing member of society and to use my experiences to positively influence others who may be struggling with similar challenges.

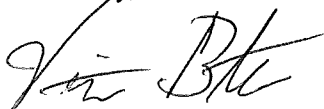
I have had a professional evaluation and counseling which has further equipped me to ensure I never repeat the same mistakes.

Prior to my time at Otisville Federal Prison, I performed community service, and I participated in programs that helped me make amends for my actions. Rather than passively serving time at the Halfway House, I wish would use my time to continue my work with "The Soup Kitchen at The Bowery Mission" and support Autistic children at "Imagine Academy" and "Reach for The Stars". Enclosed are letters of support from these organizations and from Brooklyn Halfway House stating that I am unable to do volunteer work while being incarcerated.

I am genuinely remorseful for my actions and am committed to doing everything within my power to make things right. I humbly ask the Judge for consideration of my family's well-being and my dedication to using my time to help those in need. I'm willing to go to great lengths to earn back the trust of society and make amends for my mistake.

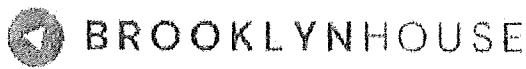
If you have any further questions, please feel free to contact me at any time at 917-324-2555.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor Btsh", written in a cursive style.

Victor Btsh

Registration #43748-510



Brooklyn House

104 Gold Street  
Brooklyn, NY 11201  
Tel: (718) 498-0800  
Fax: (718) 498-0808

Resident's Name: Btresh, Victor

To whom it may concern,

This letter serves to introduce the above named individual who is currently a resident of Brooklyn House RRC. Brooklyn House is a residential reentry center for federal offenders under the auspice of the U.S. Department of Justice, Bureau of Prisons (BOP) or U.S. Department of Probation. The program is designed to provide each participant the greatest opportunity to transition to independent living as law-abiding self-sufficient citizens. Our men and women receive a battery of services to include livable wage employment placement, family reunification counseling and other supportive services aimed at fostering a smooth transition back into their respective community.

This letter is to confirm that the above named individual is currently incarcerated under the Federal Bureau of Prisons.

In addition, Residents are not allowed to work as a volunteer. All employment opportunities must be Paid and on the books.

We would like to thank you for your assistance in helping Mr. Btresh and should there be any questions, please feel free to contact me at the Brooklyn House provided the number below.

Sincerely,

A handwritten signature in black ink, appearing to read "Neshawn Henry".

Neshawn Henry

Case Manager | Brooklyn House

Brooklyn House RRC. | 104 Gold Street | Brooklyn | NY 11201

Office: 718.498.0800 | Fax: 718.498.0808

Email: [Nehenry@brooklynrrc.org](mailto:Nehenry@brooklynrrc.org)



April 18, 2024

To Whom It May Concern,

I am writing to provide my wholehearted endorsement for Victor Btsh as a volunteer at Imagine Academy. Victor has expressed his interest to return as a volunteer with us, and I am pleased to offer my support for his involvement in our organization.

Victor's genuine kindness and desire to make a positive impact are immediately apparent upon meeting him. His compassionate nature and willingness to give back to the community are qualities that would undoubtedly benefit the children and families we serve at Imagine Academy.

Although Victor's current circumstances prevent him from volunteering at this time, I want to extend an open invitation for him to join us whenever he is available. His dedication to helping others, particularly individuals with Autism Spectrum Disorder (ASD) and other developmental disabilities, aligns perfectly with our mission at Imagine Academy.

Our school is committed to providing comprehensive support to children with ASD and other developmental disabilities, helping them achieve their social, emotional, physical, and academic potential. Additionally, we prioritize family involvement and support to ensure the continued progress of each child both at school and at home.

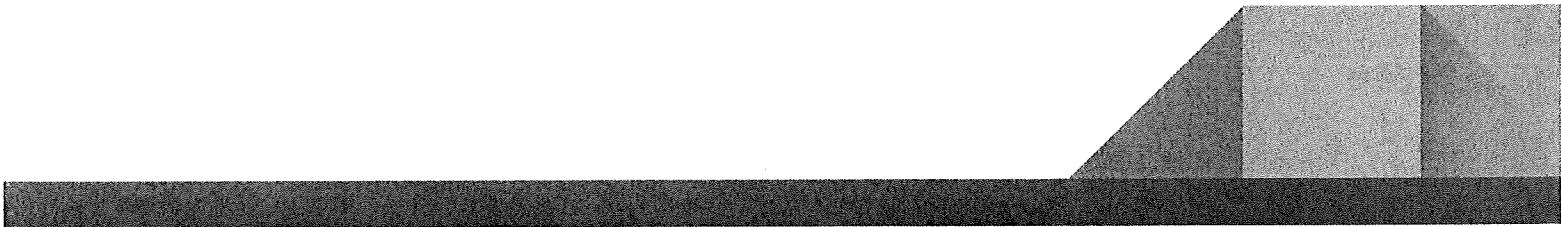
Should you have any further inquiries regarding Victor's potential as a volunteer or his previous involvement with us, please do not hesitate to reach out to me directly.

Thank you for considering Victor Btsh as a volunteer at Imagine Academy. We look forward to the possibility of welcoming him to our team in the future.

Sincerely,

Elisa Chrem M.S. CCC SLP M.A. Ed  
Principal  
Imagine Academy

1458 East 14th Street  
Brooklyn, NY 11230  
718-376-8882





June 23, 2023

Honorable Katherine Crytzer  
United States District Court Judge  
800 Market Street,  
Suite 145  
Knoxville, TN 37902

Dear Judge Crytzer,

My name is Elisa Chrem, I have been the principal of Imagine Academy for Autism since 2008. The population at our school consists of students with complex Autism and multiple diagnoses. They can be aggressive at times and require not just patience, but a love and commitment to help them succeed. During my time as a principal many volunteers have come and gone through our doors. Some volunteers do not last even an hour, let alone continue on a regular basis. When individuals apply to volunteer it is often a frustrating experience for me since they want to help but often do not internally have the tools necessary to be of service.

I am reaching out today to share my observations and experience with Victor Btsh, a volunteer at Imagine Academy. On behalf of the staff that have benefitted from his presence in our building, our hope is that this letter will serve as an attestation to Victor's character and leniency in this case will be applied.

When I first met Victor the first thing I noticed was his height, he seemed like an opposing presence with a deep voice and an intense focus. I didn't think he would work out, I could not have been more wrong. The students loved him. He was a big teddy bear, soft, caring, not afraid of the hard kids and always willing to jump in to help. In the field of education, a female dominated profession, it is amazing to have a male role model for our male students, especially our older boys.

Recently one of our new students, a 4 year old boy, minimally verbal and very dysregulated was having a difficult time. He was lying on the floor next to the door that leads outside, so a potentially dangerous situation requiring all of my training to calm him, get him up and to a safer location. Victor walked by after serving lunch with a different group. He could have kept walking, I did not ask for his assistance. Instead he jumped right into the situation with me and together we worked to help this little guy calm




down and walk upstairs to his classroom. This is extraordinary assistance from someone without any formal training in working with students with special needs.

Victor Btsh is kind, caring and has a way of reaching across the divide to connect with students with severe communication deficits, not an easy task. You have to have a certain personality to do this work and do it well, it has to be genuine or the kids will rat you out, they know. He's real, they get it and they want to interact with him, whether it's playing basketball in the yard, helping them prepare their lunch or just hanging out with them in the classroom during recess. They are all drawn to him.

I do not know the particulars of this case in terms of the laws of selling or what the penalties are in such situations. I do know that this person, Victor Btsh is a good guy. You can see it the minute you meet him and more importantly feel his goodness. He is a giving kind person who of his own volition decided to volunteer at the most intensive program in all of Brooklyn. We welcome him to continue volunteering for as long as he is available to do so.

Kindly consider the person described above and may his good deeds play a role in your decision in this case.

Sincerely,

A handwritten signature in cursive script, reading "Elisa Chrem". The signature is written in dark ink on a white background.

Elisa Chrem, M.S. CCC SLP M.A. Ed  
Principal  
Imagine Academy  
(718)376-8882 extension 127  
(917)370-6044 cell

# REACH FOR THE STARS

## LEARNING CENTER

June 23, 2023

Honorable Katherine Crytzer  
United States District Court Judge  
800 Market Street,  
Suite 145  
Knoxville, TN 37902

Your Honor Judge Crytzer,

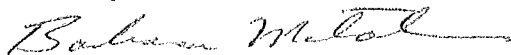
My name is Barbara Matalon, I am the founder and director of Reach for The Stars Learning Center school for children with Autism. I am writing to you regarding Victor Btsh, a Volunteer at "Reach for The Stars" and asking you to give leniency when you sentence him for price fixing DVDs.

When I first met Victor, and spoke about him volunteering, I expected to see him come in and help volunteer about once a month. I was pleasantly surprised to see Victor come in several times a week. He played with the children and quickly began helping them with art, exercise and sports. He was warm, friendly, and engaging with the children. The staff were all impressed with Victor's dedication and fine character.

Reach for the Stars is a private school for students with autism spectrum disorder located in the Midwood section of Brooklyn, "Reach for the Stars" operates twelve months a year. Our collaborative model includes Special Education, Applied Behavior Analysis, Speech and Language Therapy, Occupational therapy as well as Music therapy. Each therapy and behavioral intervention is an integral part within the well-balanced model. Each domain works collaboratively towards the same goals, in support of each child's individual success. The collaboration of the therapies coupled with the highly individualized instruction enables every student the support and tools needed to reach their goals. Each student's goals and curriculum target their challenges and capitalizes on their strength.

It takes a very special person to give their heart and their time to autistic children, Victor Btsh is a very special person and I hope that you consider that when you sentence him.

Sincerely,



Barbara Matalon  
Founder and Director

School for Children with Autism 1818 Avenue P, Brooklyn, NY 11229  
718.677.0797 Fax: 718.677.0507



June 1<sup>st</sup>, 2023

Honorable Katherine Crytzer  
United States District Court Judge  
800 Market Street,  
Suite 145  
Knoxville, TN 37902

Judge  
never saw  
Charles & Danny's  
letter

Dear Judge Crytzer,

I am writing you today to speak on behalf of my cousin, Victor Btsh. My name is Charles Kraiem and I live in Brooklyn, NY with my 4 kids. Victor Btsh is my first cousin. His mother and my father are brother and sister. I am 55 years old and Victor is 54 years old so we basically grew up together as cousins.

All my life, I have found Victor to be caring, compassionate and considerate. He was always there to lend his care and support to his friends, and especially for me and the causes that are important to me in my life. There are so many things he has done to help me and many others. One example of his generous nature was his help in raising funds for the "Woman's League." This is a charitable organization that helps mentally challenged members of our society. I have a mentally challenged brother, Nathan and sister, Bella, who are helped by "Women's League" organization. To help raise money for the organization, my family created and hosted an annual charity basketball tournament. Victor was my right-hand man and instrumental in helping me run the tournament from A to Z. Most of all, he helped to come up with great ideas to help make the tournament a successful fundraiser. His main goal was to make the tournaments and to raise as much money and awareness as possible for "Women's League." He did this out of the goodness of his heart. I have many cousins and friends, however, none of them felt the duty or had the charitable spirit that Victor has. I don't believe the tournaments would have been as successful had Victor not been involved.

Victor's fidelity to his family is exemplary. His commitment to his mother's well-being is always foremost on his mind. When Victor and I speak, he always will mention his mother and how he tries to make her life easier as she ages. He often has her over for dinner where she can spend time with his family and enjoy her grandchildren.

He's also a great husband and father and is committed to the wellbeing of his kids. Victor spends all weekends with them. We both attend the same Temple and Victor is usually there on Saturdays with his kids. He sits with them during services to ensure they're praying and learning. After synagogue, he is either taking them to their friends or spending quality time with them. The time he spends with them is to make sure they are on the right path to become productive members of society.

Victor visits my mother who suffers from Dementia and is there to help my father who is in his late eighties. He is always bringing over cases of DVD movies for my sister Bella. He cares about everybody.

In conclusion, Victor's generous nature is a light to his family, his community and to the world. Please have leniency on him when he is being sentenced.

With much humility and sincerity,  
Charles Kraiem

Danny Cohen  
918 East 14<sup>th</sup> Street Apt B7  
Brooklyn, NY 11230  
dannycohenworld@gmail.com

June 23, 2023

Honorable Katherine Crytzer  
United States District Court Judge  
800 Market Street,  
Suite 145  
Knoxville, TN 37902

Your Honor Judge Crytzer,

To the Honorable Judge Crytzer,

My name is Danny Cohen. I have worked as a professional stand-up comedian as well as a server and manager at several New York City restaurants. Upon hearing the shocking news about my good friend, I wanted to write a letter to you to tell you what I have told Victor for so many years, that he saved my life. I was immediately reminded of a terrible event that took place 30 years ago and if it was not for him, I would probably not be here today.

I was raised in the same Jewish community as Victor whom I've known since we were toddlers. We were schoolmates since kindergarten and growing up, we were good friends, and started going in different directions in our late teens. We always managed to keep in touch and remain close friends until today. Victor is heterosexual and I identify as a gay man. I was closeted for a long time, because of the scrutiny and embarrassment I knew I would have to deal with living in a very conservative, religious, Jewish community. It wasn't an ideal environment for a gay person to live in, but at the time, it was my world. Victor was one of the few people that knew about my secret of being gay and he never judged me or treated me differently.

In the late nineties, I was a co-owner of a Kosher restaurant called "Medici 56" located in Manhattan. One day, two of the top kosher supervisors approached me and told me that someone had called to demand the kosher license be revoked because I was a homosexual. They began to interrogate me, asking me all sorts of personal questions and even threatened me. I was shocked and I thought that it must be a joke. They assured me that it wasn't a joke and said they were going to do everything possible to find out the truth. They weren't comfortable supporting and certifying any restaurant as "kosher" when the owner was living a life of sin according to the laws of the Jewish torah. This may seem dramatic, but as a closeted religious 25-year-old, it was absolutely devastating.

I later learned that the accusation came from a very prominent community member whose father had an altercation in my restaurant with one of my servers. Immediately after this altercation, this customer had a heart attack, and later went into a coma. This customer's family blamed me, and they were out for revenge and wanted to shut my restaurant down. Following the incident, a community Rabbi gave his weekly sermon at Congregation Shaare Zion and began slandering my restaurant and my name. You should know that Victor stood up and yelled at him in front of the entire congregation for unjustly telling only one side of the story. I had to close my restaurant because people stopped coming

due to the gossip. This was one of the most devastating and stressful times in my life and I went into a terrible depression.

Eventually, because of embarrassment, I left the community I grew up in. With Victor's support, I eventually came out gay and found a better life than the one I had. There was a moment during that time that I considered suicide because I felt alone and wrong, not even my own family supported me. Victor truly saved my life. He was my only friend that knew everything about me and told me that this was all going to pass, and that everything was going to be okay. He was right, and all of this seems a lifetime ago.

Now Victor is in his own mess for committing a crime, and while I do not condone criminal activity, I will do everything I can to support him. I was surprised to hear about the situation because he has always been an honest and giving person. I never knew him as a taker.

Growing up, and being different from the other kids in school, I found myself being bullied at times, by many kids in school. Victor Btsh always stood up for me, and never allowed anyone to bully me. While he often played sports at recess, I remember him hanging out together all the time, talking about TV shows and movies. After school on Fridays, we would often go to each other's houses and have playdates. We enjoy reminiscing about those times whenever we catch up.

Victor Btsh has always told me that I was very funny person. So, when I began my career as a stand-up comedian, he was very supportive. He would round up his friends, who came out to laugh and cheer me on when I was on stage. He even brought everyone out on gay and lesbian comedy nights and showed the same support for the other comics too. Sometimes I wouldn't even know he was in the crowd. He introduced me to his friend Jason Steinberg who represents many famous comedians -and that has helped me tremendously in my career. Victor is a true friend that always wants to help and has never asked me for anything in return.

Victor explained to me what he did, and he told me how sorry he was about it, that he got carried away and didn't stop to think about how his actions would affect and hurt his wife and children. I told him that this will pass too and maybe karma will grant him the same kindness he showed me. People do stupid things in life. I believe Victor is remorseful and deserves another chance.

Thank you for taking the time to read my letter,

Sincerely,

Danny Cohen

A handwritten signature in black ink that reads "Daniel S Cohen". The signature is written in a cursive, flowing style with a large, stylized 'D' and 'C'.

## § 848. Continuing criminal enterprise

(a) **Penalties; forfeitures.** Any person who engages in a continuing criminal enterprise shall be sentenced to a term of imprisonment which may not be less than 20 years and which may be up to life imprisonment, to a fine not to exceed the greater of that authorized in accordance with the provisions of title 18, United States Code, or \$2,000,000 if the defendant is an individual or \$5,000,000 if the defendant is other than an individual, and to the forfeiture prescribed in section 413 of this title [21 USCS § 853]; except that if any person engages in such activity after one or more prior convictions of him under this section have become final, he shall be sentenced to a term of imprisonment which may not be less than 30 years and which may be up to life imprisonment, to a fine not to exceed the greater of twice the amount authorized in accordance with the provisions of title 18, United States Code, or \$4,000,000 if the defendant is an individual or \$10,000,000 if the defendant is other than an individual, and to the forfeiture prescribed in section 413 of this title [21 USCS § 853].

(b) **Life imprisonment for engaging in continuing criminal enterprise.** Any person who engages in a continuing criminal enterprise shall be imprisoned for life and fined in accordance with subsection (a), if—

(1) such person is the principal administrator, organizer, or leader of the enterprise or is one of several such principal administrators, organizers, or leaders; and

(2) (A) the violation referred to in subsection (c)(1) involved at least 300 times the quantity of a substance described in subsection 401(b)(1)(B) of this Act [21 USCS § 841(b)(1)(B)], or

(B) the enterprise, or any other enterprise in which the defendant was the principal or one of several principal administrators, organizers, or leaders, received \$10 million dollars in gross receipts during any twelve-month period of its existence for the manufacture, importation, or distribution of a substance described in section 401(b)(1)(B) of this Act [21 USCS § 841(b)(1)(B)].

(c) **“Continuing criminal enterprise” defined.** For purposes of subsection (a), a person is engaged in a continuing criminal enterprise if—

(1) he violates any provision of this title or title III the punishment for which is a felony, and

USCS

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(2) such violation is a part of a continuing series of violations of this title or title III—

(A) which are undertaken by such person in concert with five or more other persons with respect to whom such person occupies a position of organizer, a supervisory position, or any other position of management, and

(B) from which such person obtains substantial income or resources.

(d) **Suspension of sentence and probation prohibited.** In the case of any sentence imposed under this section, imposition or execution of such sentence shall not be suspended, probation shall not be granted, and the Act of July 15, 1932 (D.C. Code, secs. 24-203–24-207), shall not apply.

(e) **Death penalty.**

(1) In addition to the other penalties set forth in this section—

(A) any person engaging in or working in furtherance of a continuing criminal enterprise, or any person engaging in an offense punishable under section 841(b)(1)(A) or section 960(b)(1) [21 USCS § 841(b)(1)(A) or 960(b)(1)] who intentionally kills or counsels, commands, induces, procures, or causes the intentional killing of an individual and such killing results, shall be sentenced to any term of imprisonment, which shall not be less than 20 years, and which may be up to life imprisonment, or may be sentenced to death; and

(B) any person, during the commission of, in furtherance of, or while attempting to avoid apprehension, prosecution or service of a prison sentence for, a felony violation of this title or title III who intentionally kills or counsels, commands, induces, procures, or causes the intentional killing of any Federal, State, or local law enforcement officer engaged in, or on account of, the performance of such officer's official duties and such killing results, shall be sentenced to any term of imprisonment, which shall not be less than 20 years, and which may be up to life imprisonment, or may be sentenced to death.

(2) As used in paragraph (1)(B), the term "law enforcement officer" means a public servant authorized by law or by a Government agency or Congress to conduct or engage in the prevention, investigation, prosecution or adjudication of an offense, and includes those engaged in corrections, probation, or parole functions.

(f) [Not enacted]

(g)–(r) [Repeated]